



SHULMANKESSLER  
LLP

April 20, 2012

**Via Electronic Court Filing**

Hon. E. Thomas Boyle, U.S.M.J.  
United States District Court  
100 Federal Plaza, P.O. Box 9014  
Central Islip, New York 11722

**Re: *Garcia v. Pancho Villa's of Huntington Village, et al.***  
**Case No. 09 Civ. 486 (ETB)**

Dear Honorable Sir:

Please accept this correspondence as a status report with respect to this matter.

The parties have recently finalized the terms of the Settlement Agreement, including: allocation of the settlement proceeds; timing of the settlement payment; distribution formulas; tax consequences of the settlement; class notice; claim forms; and publication of the settlement notice.

The parties expect the Settlement Agreement to be fully executed on or before April 27, 2012, and thereafter, plaintiffs will file the motion for preliminary approval of the class settlement, on or before May 4, 2012.

Thank you for your consideration of this matter.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Troy L. Kessler'.

TROY L. KESSLER

cc: Kushnick Pallaci PLLC (via email – [ytp@kushnicklaw.com](mailto:ytp@kushnicklaw.com))